

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: Bair Hugger Forced Air Warming
Devices Products Liability Litigation

MDL No. 15-2666 (JNE/DTS)

This Document Relates to:
ALL CASES

**SECOND DECLARATION OF
BENJAMIN W. HULSE IN
SUPPORT OF DEFENDANTS’
MOTION FOR
RECONSIDERATION OF THE
COURT’S DECEMBER 13, 2017
ORDER ON GENERAL
CAUSATION**

Benjamin W. Hulse, being first duly sworn, deposes and declares:

I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company and Arizant Healthcare Inc. (together, “Defendants”) in this litigation. I submit this declaration in support of Defendants’ Motion For Reconsideration of the Court’s December 13, 2017 Order on General Causation. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

1. Attached as Defendants’ Exhibit DX16 is a true and correct copy of Kumin, et al., “Reducing Implant infection in Orthopaedics (RIiO): a pilot study for a randomized controlled trial comparing the influenced of forced air versus resistive fabric warming technologies on postoperative infection rates following orthopaedic implant surgery in adults,” *Trials* 19:640 (2018). Mike Reed, senior researcher on the Observational Study, is a co-author of the article.

2. Attached as Defendants' Exhibit DX17 is a true and correct copy of Dr. William R. Jarvis, M.D.'s expert report in *Axline v. 3M Co., et al.*, Dkt. No. 17-cv-00511.

3. Attached as Defendants' Exhibit DX18 is a true and correct copy of additional excerpts from the *Gareis v. 3M Co., et al.*, trial transcripts.

4. Attached as Defendants' Exhibits DX19 is a true and correct copy of excerpts from the general causation hearing conducted October 24, 2017 to October 26, 2017.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 14th day of March, 2019.

s/Benjamin W. Hulse
Benjamin W. Hulse